

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local Scheduled Tribe Certificates as per G.O.Ms.No.24., T.W (LTR.1) department dated 12.6.2018 – Rejection of Agency Area Local Scheduled Tribe Certificate by the Collector & District Magistrate, Kumuram Bheem Asifabad vide Proc.No.C2/594/2018, dated 10.03.2022 - Appeal filed by Sri Jadhav Heeralal S/o. Chathru, R/o.Lingapur Village of Sirpur-U Mandal, Kumuram Bheem Asifabad District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No.36

Dated:15.10.2022,
Read the following:-

1. G.O.Ms.No.24, T.W (LTR.1) Department, dated 12.06.2018.
2. Letter Rc.No.T1/91/2019, dated -12-2021, O/o.the PO, ITDA, Uttoor.
3. Proceedings No.C2/594/2018, dated 10.03.2022 O/o. the Collector & District Magistrate, Kumuram Bheem Asifabad District.
4. Appeal petition filed by Sri Jadhav Heeralal S/o. Chathru, R/o.Lingapur Village of Sirpur-U Mandal, Kumuram Bheem Asifabad District dated 15.03.2022.
5. Govt.Memo No.536/TW.LTR/2022-1, dated 13.04.2022.
6. Govt.Notice.No.536/TW.LTR/2022, dated 13.04.2022.
7. From the Collector & District Magistrate, Kumuram Bheem Asifabad District, letter Rc.No.C2/594/2018, dated 22.04.2022.
8. Written submission of the appellant, dated 23.04.2022.

ORDER:-

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In the reference 2nd read above, the Project Officer, ITDA, Uttoor, Adilabad District has addressed the District Collector, Adilabad has reported that Sri Jadhav Heeralal S/o Chatru R/o Sirpur-U Mandal of KB Asifabad District who has been provisionally selected for the post of Forest Beat Officer (FBO) vide TSPSC Notification No.48/2017 has attended for enquiry into the genuineness of his Agency Area Local ST status. During enquiry, the Project Officer, ITDA Uttoor found that the applicant is residing since 1977 only in Lingapur village and Mandal but not from 1950 (as required under G.O Ms.No.24, TW (LTR.1) Dept. dated 12.06.2018).

3. In the reference 3rd read above, the District Collector, KB Asifabad addressed the District Forest Officer, Asifabad (District) conveyed above findings of the Scrutiny Committee headed by the Project Officer, ITDA, Uttoor in respect of Sri Jadhav Heeralal S/o Chatru R/o H.No.1-129/A, Lingapur village, Sirpur-U Mandal, KB Asifabad District that "He has not submitted the residential evidence from 1950 and as per documents produced by the appellant, it is revealed that the applicant is residing from 1977 only. The LST certificate is not considered with reference to G.O Ms.No.24, TW (LTR.1) Dept. dated 12.06.2018".

4. Aggrieved by the above proceedings, in the reference 4th read above, the appellant Sri Jadhav Heeralal S/o Chatru R/o Sirpur-U Mandal of KB Asifabad District has filed the Appeal before the Government contending that the revenue authorities after due verification of the facts by conducting field enquiry and after due scrutiny of the documents produced by him, issued the Agency Area Certificate. In support of his contentions, the individual has submitted following documents:

- i) Family Tree duly Notarized – Sri Jadhav Devula S/o Telya is great grandfather of appellant – he has three sons 1) Dasru 2) Chandu and 3) Chathru (father of appellant). Sri Chathru (father of appellant) has three sons 1) Bhojju 2) Thirupathi and 3) Heeralal (applicant).
- ii) PESA Gram Sabha Resolution dt.03.02.2022 of Bheempur village, Narnoor Mandal, Adilabad District – wherein it was resolved that Sri Jadhav Devula S/o Telya has three sons namely Dasru, Chandru and Chathru (father of appellant) – they lived in the village from 1948 to 1970 doing labour work. They migrated to Lingapur village after 1970.
- iii) GP Bheempur resolution bearing No.GPB/28/2021 – wherein it was resolved that father of Jadhav Chatru i.e. Devula resided in Bheempur village from before 1950 till 1970 – after that migrated to Lingapur village of Sirpur U Mandal for agriculture.

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- iv) GP Lingapur resolution – wherein it was resolved that Jadhav Chatru and his father Devula have been residing in Lingapur village from before 1975.
- v) Voter list of 237 Boath Assembly Constituency – 1970 – Sl.No.211 and 212 show names of Devula S/o Telya and Devulabai W/o.Devula (grandparents of appellant) under H.No.1-9/91B – Lingapur village – Utnoor Taluq – Adilabad District.
- vi) RoFR Title No.1929110472 – issued in favour of Jadhav Chatru S/o Devla (father of appellant) for an extent of acs.5.720 – Lingapur village, Sirpur-U Mandal.
- vii) Certificate of Proof of Local Scheduled Tribe Community – issued by the Tahsildar, Sirpur-U Mandal bearing Rc.No.C/304/2016, dt.5.7.2016 wherein it was certified that the appellant belongs to ST Lambada and his father residing in Lingapur village from 1977.

The Scrutiny Committee under GO Ms.No.24 headed by the Project Officer, ITDA Utnoor found that the Appellant has been residing in Lingapur village from 1977 only but not continuously from 1950.

5. In the reference 5th read above, Government have sent copies of the Appeal Petition to the Collector & District Magistrate, Kumuram Bheem Asifabad District and the Project Officer, ITDA, Utnoor, with a request to furnish connected records along with Para wise remarks to Government.

6. In the reference 5th read above, a Notice has been sent to the Appellant to attend for hearing on 23.04.2022 at 3.00 PM before the Government to prove his claim along with documentary evidences.

7. In the reference 6th read above, the Collector & District Magistrate, Kumuram Bheem Asifabad District has submitted the copies of connected records at the time of hearing on 23.04.2022 and as per evidences i.e. PESA Gram Sabha Resolution, Resolutions of Gram Panchayats Bheempur, Lingapur, ROFR Title Deed, Voter list of 1970 etc. it is found that the Appellant and his parents/grandparents have been continuously living in the Agency villages i.e. Bheempur village (Narnoor Mandal) and Lingapur village (Sirpur-U Mandal) from before 1950 and both these villages are Agency villages notified in the Presidential Order, 1950.

8. The Appellant has attended the hearing on 23.04.2022 at 3.00 PM and submitted the written submission along with documents.

9. Government after careful examination of the matter and taking into consideration various documentary evidences produced by the Appellant, hereby Allow the Appeal filed by Sri Jadhav Heeralal S/o Chathru declaring him as Agency Area Local ST of Lingapur village in Sirpur-U Mandal, Komuram Bheem Asifabad District duly setting aside findings of the Project Officer, ITDA, Utnoor in reference No.T1/91/019 dated -12-2021, District Collector, Adilabad e-office No.C3/4/0038/2021, dated -02.2022 and reference Rc.No.C2/594/ 2018, dated 10.03.2022 of the Collector & District Magistrate, Komuram Bheem Asifabad District.

10. The Collector and District Magistrate, Komuram Bheem Asifabad District shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU,
SECRETARY TO GOVERNMENT.

To
The Collector and District Magistrate, Komuram Bheem Asifabad District (By RPAD).
The Project Officer, ITDA, Utnoor, Adilabad District (By RPAD).
Sri Jadhav Heeralal S/o Chathru R/o.Lingapur village, Sirpur-U Mandal,
Komuram Bheem Asifabad District(By RPAD)

Copy to:-

The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
The District Panchayat Officer, Komuram Bheem Asifabad District.
The District Forest Officer, Adilabad District
(for information & necessary action)
The District Forest Officer, Komuram Bheem Asifabad District
(for information & necessary action)
The District Tribal Development Officer (TW), Komuram Bheem Asifabad District.
The PS to Hon'ble Minister for ST Welfare.
The PS to Secretary (TW).
The PS to Special Secretary (TW)
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER.